

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Randall Bruce Barlow,
Plaintiff
v.
Donald Herman, et al.,
Defendants

2:13-cv-00033-JAD-CWH
Order Adopting Report and
Recommendation and Striking Answer
and Counterclaim
[ECF No. 80]

After the defendants in this contract-based employment case refused to respond to written discovery requests and repeatedly violated this court's discovery orders, Magistrate Judge Hoffman entered a stay and warned defendants that case-dispositive sanctions could result.¹ Magistrate Judge Hoffman has now issued an order lifting the stay, and he recommends that defendants' answer and counterclaim be stricken as a sanction.² "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed."³ Objections to the magistrate judge's report and recommendation were due by August 19, 2016, and defendants have not filed an objection or requested an extension to do so.

Accordingly, IT IS HEREBY ORDERED that **Magistrate Judge Hoffman's report and recommendation [ECF No. 80] is ADOPTED, and the Clerk of Court is instructed to STRIKE defendants' answer and counterclaim [ECF No. 20].**

Dated this 26th day of August, 2016



Jennifer A. Dorsey
United States District Judge

¹ ECF No. 76.

² ECF No. 80.

³ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).